

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

\*\*\*\*\*

THOMAS L. BARTAK and CINDY S.  
KUHL, Husband and Wife,

CIV. 07-4068

Plaintiffs,

v.

DAVID J. BARNES, M.D., YANKTON MEDICAL CLINIC, P.C., MICHAEL SCHURRER, M.D., ANTHONY JAVUREK, M.D., AVERA SACRED HEART HOSPITAL, MARK H. BECHTEL, M.D., YANKTON RADIOLOGY, LLP, JOHN DOE(S), JOHN DOE(S) M.D., JANE DOE(S), M.D., and JOHN DOE(S), P.C..

**STIPULATION AND NOTICE OF  
VOLUNTARY DISMISSAL PURSUANT  
TO FED. R. CIV P. 41 (a)(ii) OF  
DEFENDANT AVERA SACRED  
HEART HOSPITAL ONLY**

Defendants.

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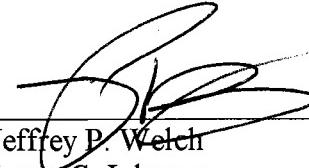
The above named parties, by and through their respective counsel of record, hereby stipulate and agree to the immediate dismissal, without costs and with prejudice of Defendant Avera Sacred Heart Hospital pursuant to Fed. R. Civ. P 41(a)(ii). Pursuant to Rule 41, no further notice or order is required and dismissal shall be effective upon entry by the Clerk. The Plaintiffs' claims the remaining Defendants are unaffected by this stipulation.

Dated this 23<sup>rd</sup> day of June, 2008.



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and



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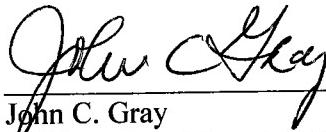
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Attorney for Plaintiffs

Dated this 17<sup>th</sup> day of June, 2008.



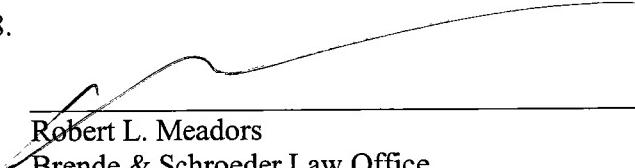
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Dated this 25 day of June, 2008.



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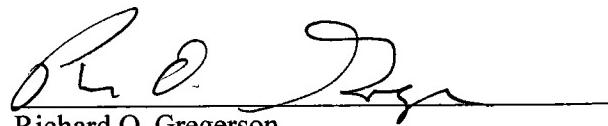
  
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Dated this \_\_\_\_ day of June, 2008.



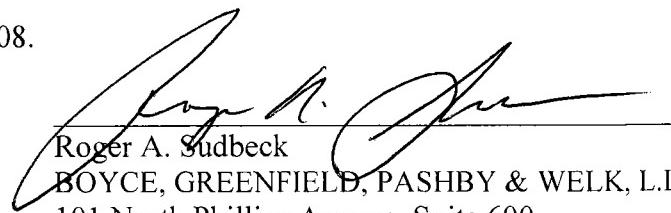
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Dated this 11<sup>th</sup> day of June, 2008.



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Dated this 26 day of June, 2008.



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